

**IN THE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION**

<b>LOREN CROUCH,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>CAUSE NO. 2:08-CV-399-LJM-JMS</b>
	)	
<b>GILBERT PETERS,</b>	)	
	)	
<b>Respondent.</b>	)	

**RESPONSE TO ORDER TO SHOW CAUSE**

Respondent, Gilbert Peters, by counsel, Stephanie L. Rothenberg, Deputy Attorney General, hereby responds to the Court's Order to Show Cause and respectfully submits that the Petition for Writ of Habeas Corpus should be denied. In support, the Respondent submits:

1. The Petitioner challenges a prison disciplinary conviction for Class A Offense #111/113, attempting to traffick. The Petitioner's sanctions were an earned credit time deprivation of 180 days, a credit class demotion from credit class I to credit class II, one year in disciplinary segregation, a two-month loss of telephone privileges and a written reprimand.
2. The Petitioner has exhausted the available administrative remedies.
3. The Respondent has attached to this response copies of the pertinent documents that compose the record of the administrative proceeding under review.
4. The Court should not grant the requested habeas corpus relief because the Petitioner has not shown the denial of any clearly established federal right.

5. The Respondent has filed a memorandum in support of this response that is incorporated herein by reference.

6. The Petitioner is hereby notified in the spirit of *Lewis v. Faulkner*, 689 F.2d 100 (7th Cir. 1982) that 28 U.S.C. § 2248 provides that the allegations of a response to order to show cause in a habeas corpus proceeding, if not traversed, shall be accepted by the Court as true, except to the extent that the Court finds from the evidence that they are not true. The Court has provided you 20 days after service of this response to reply. Because this response has been served on you by mail, you have 23 days from the date on the certificate of service to file your reply with the Clerk. You may move the Court for an enlargement of time. Failure to respond within the time provided by these rules may subject this case to summary ruling by the Court; that is, the Court may decide this case without your reply. The Court may, but is not required to, allow you more time to respond if you make a written request. Any request for additional time should be made before the time to act expires.

WHEREFORE, the Respondent urges the Court to deny the Petition.

Respectfully submitted,

GREGORY F. ZOELLER,  
Attorney General of Indiana  
Atty. No. 1958-98

By: s/ Stephanie Rothenberg  
Stephanie L. Rothenberg  
Deputy Attorney General  
Attorney No. 21065-29

**CERTIFICATE OF SERVICE**

I hereby certify that on February 20, 2009, a copy of the foregoing was filed electronically. I hereby certify that on February 20, 2009, a copy of the foregoing was mailed, by first-class U.S. Mail, postage prepaid and properly addressed to the following:

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